

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

Claims 1-51 remain pending in this application.

Claims 1-51 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2003/0212311 to Nova et al. (hereinafter “Nova”). Applicant respectfully traverses the rejection for at least the following reasons.

The Examiner’s “Note to Applicant” regarding the interpretation of “configured to” is acknowledged. However, Applicant respectfully notes that the cited references fail to teach or suggest the claimed features.

As noted in an earlier paper by Applicant, in accordance with embodiments of the present invention, a signal from a monitoring device includes a general broadcast emergency signal. Further, in accordance with embodiments of the present invention, as described in the specification, “mobile devices within communication range of the monitoring device 100 can be configured to relay this message” Specification, paragraph [0021]. Thus, the emergency broadcast signal can be received by mobile devices which can transmit the message to, for example, a medical facility. Accordingly, independent claim 1 recites “receiving at a mobile wireless event handling device, a first signal” Further, independent claim 12 recites a system comprising “a mobile wireless event handling device.” Independent claim 24 recites “a transmitter transmitting a signal ... for receipt by mobile devices.” Independent claim 33 recites a mobile wireless event handling device. Further, independent claim 39 recites “receiving a first signal in the mobile wireless event handling device from a monitor.”

In sharp contrast, Nova fails to teach or suggest at least this feature of independent claims 1, 12, 24, 33 and 39. Nova relates to a therapy-delivering device which can trigger and communicate with an alarm system, “such as a residential or business alarm system.” See Nova, ¶ [0022]. In this regard, the therapy-delivering device communicates with a fixed central station, not a mobile device. There is no teaching or suggestion of any mobile device

in the system disclosed by Nova. Accordingly, Nova fails to teach or suggest at least the above-noted feature of independent claims 1, 12, 24, 33 and 39.

In the “Response to Arguments” section of the Office Action, the Examiner notes that Nova “teaches the central monitoring station comprising a communication interface constructed with communication electronics of a pager or wireless telephone.” Office Action dated June 12, 2008, Page 5 (quoting Nova, Paragraph [0052]). Based on this disclosure, the Examiner alleges that Nova discloses a wireless phone which constitutes a “mobile wireless event handling device.” See Office Action dated June 12, 2008, Pages 5-6. Applicant respectfully disagrees with the Examiner’s interpretation of this disclosure of Nova.

Specifically, Nova merely discloses that the “communication interface of the central monitoring station 140 may be constructed with communication electronics of a pager or wireless telephone” Constructing a device from the components of a wireless telephone does not make the device wireless or mobile. Rather, Nova merely suggests constructing the communication interface of the central monitoring station with such components to facilitate communication with the central control station 110. There is no teaching or suggestion that the communication interface, or the central monitoring station itself, is a mobile device.

Such a teaching would be contrary to the disclosure of Nova. Nova relates to communication through a fixed system, such as a residential alarm system, as indicated in the title, abstract and throughout the specification of Nova. The use of a mobile device in this regard would be contrary to the teachings of Nova.

Thus, claims 1, 12, 24, 33 and 39 are patentable. Claims 2-11, 42-44 and 47 depend, either directly or indirectly, from allowable claim 1 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole. Similarly, claims 13-23, 45 and 48 depend from allowable claim 12, claims 25-32, 46 and 49 depend from allowable claim 24, claims 34-38 and 50 depend from allowable claim 33, and claims 40-41 and 51 depend from allowable claim 39. Therefore, claims 13-23, 25-32, 34-38 and 40-51 are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Applicant believes that the present application is in condition for allowance.
Favorable reconsideration of the application is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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